

# State erred in how it funded charter schools

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**Private school boards created by nonprofit corporations means voters lose their right to elect representatives to oversee the spending of their taxes.**

By [Ann Murphy](#)

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ALL children deserve a great education, and setting up a separate system that serves only a few is not the way to get there. The League of Women Voters of Washington is pleased with the Washington Supreme Court's decision affirming that charter schools are not common schools and therefore not eligible to receive common-school funding from taxpayer dollars.

Recent rhetoric about how this decision will impact students enrolled in charter schools has missed the main issue underlying the decision. The issue is not the value of charter schools. It is that the statute in question takes dollars from the state's already limited education budget and puts it in the hands of unelected boards and out of the control of taxpayers and voters. The League believes that is wrong, but more importantly our state constitution specifically forbids it.

We share the disappointment at the news that parents who had enrolled children in charter schools apparently had not been told that the issue of public funding was currently before the Supreme Court before the start of the school year. It was clear that the case had been pending since the Supreme Court held its hearing in October 2014 and that the ruling might affect charter-school funding when it was issued. The ruling should not have come as a surprise to anyone involved in charter schools, but apparently it did to parents and children. They have a right to be disappointed and angry.



Ann Murphy

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The League was a party to the lawsuit on which the [state Supreme Court recently ruled](#).

The League's position was based in part on the following:

- Washington's founders adopted unique state constitutional provisions governing public education in Washington. These provisions required a school system that was controlled by and accountable to the voters whose taxes support the schools, that was general and uniform among all Washington's children, and that was fully funded by revenue that was protected from diversion to other uses.
- This founding vision for the state's public schools was confirmed shortly after the state constitution's adoption by the Washington Supreme Court, which stated that a common school is open "to all children ... free, and subject to, and under the control of, the qualified voters of the school district" and held unconstitutional a publicly funded experimental school whose management was not controlled by and accountable to the voters.
- Charter supporters in drafting the initiative that passed in 2012 ignored the unique provisions of the state constitution and longstanding Washington court precedent. Private boards selected by nonprofit corporations rather than publicly elected by citizens will govern charter schools. Voters will lose their right to elect representatives to oversee the spending of their taxes.
- Charter schools will be exempt from state statutes and rules applicable to school districts and boards, creating a separate and unequal school system — even though

Article IX of the state constitution requires a general and uniform system of public schools.

The League of Women Voters has worked hard to assure that the state amply fund K-12 education, the state's paramount duty. The Legislature has failed to address the common school funding issue sufficiently and is still in contempt of court in the McCleary lawsuit. What we need for all of Washington's students is the plan that is called for in the McCleary decision to fully fund our common schools.

The League calls upon the Legislature, the governor and all education advocates to provide quality education for the approximately 1 million students and 295 districts across the state. Why not make our public-school systems so great in every district that the needs of all students are being met?

*Ann Murphy is president of the League of Women Voters of Washington.*